

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A STUDENT PARTICIPATING IN A PROFESSIONAL  
5 MEDICAL EDUCATION PROGRAM OF THE WWAMI INTERSTATE COMPACT EITHER TO REPAY THE  
6 STATE BY RETURNING TO MONTANA TO PRACTICE OR TO REPAY SUPPORT FEES PAID BY THE STATE  
7 ON THE STUDENT'S BEHALF; EXEMPTING STUDENTS CURRENTLY PARTICIPATING IN THE PROGRAM;  
8 PROVIDING REPAYMENT METHODS; PROVIDING AN INTEREST RATE ON MONEY NOT REPAYED;  
9 PROVIDING FOR ADMINISTRATION OF THE REPAYMENT PROVISIONS BY THE BOARD OF REGENTS;  
10 PROVIDING THAT THE DISCHARGE OF A STUDENT LOAN IS NOT INCOME UNDER FEDERAL TAX LAW;  
11 ELIMINATING THE MONTANA RURAL PHYSICIAN INCENTIVE PROGRAM; AMENDING SECTION 17-7-502,  
12 MCA; REPEALING SECTIONS 20-26-1501, 20-26-1502, AND 20-26-1503, MCA; AND PROVIDING AN  
13 IMMEDIATE EFFECTIVE DATE."

14  
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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17 **NEW SECTION. Section 1. Repayment of state payments -- conditions -- administration --**  
18 **discharge of loan.** (1) A student who is supported by the state pursuant to the WWAMI interstate compact  
19 professional medical education program shall repay the state for all fees paid by the state on the student's behalf  
20 to a receiving out-of-state institution.

21 (2) (a) A student who is participating in the WWAMI interstate compact professional medical education  
22 program on [the effective date of this act] and who continues uninterrupted participation is not required to repay  
23 the state as provided in subsection (1).

24 (b) A student who enters or reenters study after [the effective date of this act] shall repay the state in the  
25 manner required by this section.

26 (c) Only those fees paid by the state after [the effective date of this act] are subject to the repayment  
27 provisions of this section.

28 (3) A student may choose to repay either by the practice of the profession in the state for 5 years or by  
29 repayment of 100% of the state support paid on the student's behalf.

30 (4) (a) Repayment by either returning to Montana to practice or the repayment of money must begin

1 within 5 years after the date on which the student has:

2 (i) left the program;

3 (ii) graduated; or

4 (iii) completed the minimum professional residency requirements necessary to begin professional  
5 practice.

6 (b) Repayment must be completed within 10 years from the date on which repayment begins pursuant  
7 to subsection (4)(a). Interest on the unpaid monetary amount is charged and computed at the prime rate of  
8 interest, plus 2 percentage points, from the date on which repayment begins pursuant to subsection (4)(a).

9 (c) The discharge of a student loan pursuant to this section is not income for the purposes of 26 U.S.C.  
10 108(f).

11 (5) The board of regents shall adopt the policies necessary for the proper administration of the provisions  
12 of this section.

13  
14 **Section 2.** Section 17-7-502, MCA, is amended to read:

15 **"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory  
16 appropriation is an appropriation made by permanent law that authorizes spending by a state agency without  
17 the need for a biennial legislative appropriation or budget amendment.

18 (2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both  
19 of the following provisions:

20 (a) The law containing the statutory authority must be listed in subsection (3).

21 (b) The law or portion of the law making a statutory appropriation must specifically state that a statutory  
22 appropriation is made as provided in this section.

23 (3) The following laws are the only laws containing statutory appropriations: 2-15-151; 2-17-105;  
24 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-1-113; 15-1-121; 15-23-706;  
25 15-35-108; 15-36-332; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-11-404; 17-3-106; 17-3-212; 17-3-222;  
26 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305;  
27 19-19-506; 19-20-604; 20-8-107; 20-9-534; 20-9-622; ~~20-26-1503~~; 22-3-1004; 23-5-306; 23-5-409; 23-5-612;  
28 23-5-631; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 42-2-105; 44-12-206; 44-13-102; 50-4-623;  
29 53-1-109; 53-6-703; 53-24-108; 53-24-206; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313;  
30 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-3-1003; 90-6-710; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 2 and 5, Ch. 481, L. 2003, the inclusion of 90-6-710 terminates June 30, 2005; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; and pursuant to sec. 135, Ch. 114, L. 2003, the inclusion of 2-15-151 terminates June 30, 2005.)"

**NEW SECTION. Section 3. Repealer.** Sections 20-26-1501, 20-26-1502, and 20-26-1503, MCA, are repealed.

**NEW SECTION. Section 4. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 20, chapter 26, and the provisions of Title 20, chapter 26, apply to [section 1].

**NEW SECTION. Section 5. Effective date.** [This act] is effective on passage and approval.

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